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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KENNETH LEE BERRY,

11 Petitioner,

No. CIV S-11-1917 GGH P

12 vs.

13 R.A. BARNES,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma
18 pauperis.

19 The application attacks a conviction issued by the Los Angeles County Superior
20 Court. While both this Court and the United States District Court in the district where petitioner
21 was convicted have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973),
22 any and all witnesses and evidence necessary for the resolution of petitioner's application are
23 more readily available in [name] County. Id. at 499 n.15; 28 U.S.C. § 2241(d).

24 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

25 1. This court has not ruled on petitioner's application to proceed in forma
26 pauperis; and

2. This matter is transferred to the United States District Court for the Central District of California.

DATED: August 23, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH:mp
berr1917.108